

Express Mail No.: EL 752242015 US

9D-HR-19236  
PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chastine et al.

Serial No.: 09/589,330

Filed: June 7, 2000

For: REFRIGERATOR WITH QUICK  
CHILL AND THAW SYSTEM

: Art Unit:

: Examiner:

**PETITION FOR WITHDRAWAL OF HOLDING OF ABANDONMENT OR, IN THE  
ALTERNATIVE, FOR REVIVAL OF AN UNINTENTIONALLY ABANDONED PATENT  
APPLICATION**Box DAC  
Hon. Commissioner for Patents  
Washington, D.C. 20231

Pursuant to 37 C.F.R. § 1.181 and MPEP 711.03(c) II, Applicants hereby petition to withdraw holding of abandonment. Through a status check by telephone, Applicants have learned that the above-identified application has been held to be abandoned. Specifically in the telephone status check, Applicants have learned that A Response to the Notice to File Missing Parts of Nonprovisional Application, mailed September 28, 2000, has not been indicated by the USPTO as having been received. However, a Response was deposited with the United States Postal Service as first class mail in an envelope addressed to: Honorable Commissioner of Patents and Trademarks, Washington, D.C. 20231, on September 28, 2000, and included a signed certificate of mailing (a copy of the Response including the certificate of mailing is enclosed). An authorization to charge the fee of \$130.00 to a Deposit Account was included with the Response.

Applicants respectfully submit that Applicants' file copy of the RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION is indicative of Applicants responding to the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION. Accordingly, Applicants respectfully request that the holding of abandonment be withdrawn. Specifically, Applicants request that Applicants' file copy of the RESPONSE TO NOTICE TO FILE

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MISSING PARTS OF NONPROVISIONAL APPLICATION submitted herewith, the fee of \$130.00 under 37 C.F.R. § 1.16(e) be accepted and that the holding of abandonment be withdrawn.

Applicants believe that the fee due for this petition under 37 C.F.R. § 1.181 is \$130.00 (37 C.F.R. § 1.17(h)) and the Commissioner is hereby authorized to charge payment of the total fees due in the amount of \$260.00 to deposit account 01-2384. If \$260.00 is not the correct fee, then the Commissioner is hereby authorized to charge the correct fee to deposit account 01-2384.

If the above petition under 37 C.F.R. § 1.181 is not granted, then pursuant to 37 C.F.R. §§ 1.316 and 1.137(b), and MPEP 711.03(c) III, Applicants hereby petition to revive the subject patent application as unintentionally abandoned. The following authorizations and statements are provided in accordance with 37 C.F.R. 1.137(b):

- (1) Authorization to charge the late filing fee under 37 C.F.R. § 1.16(e) to a deposit account is set forth below in Paragraph (4).
- (2) Authorization to charge the petition fee (37 C.F.R. 1.17(m)) is set forth below in Paragraph (4).
- (3) The entire delay in the filing of the required reply from the due date for the reply until the filing of this petition was unintentional.

(4) Fees:

|    |                                     |                    |
|----|-------------------------------------|--------------------|
| a. | Payment of the late filing fee      | \$ 130.00          |
| b. | Petition fee<br>(37 C.F.R. 1.17(m)) | <u>\$ 1,280.00</u> |
|    | TOTAL FEES DUE:                     | <u>\$ 1,410.00</u> |

The Commissioner is hereby authorized to charge payment of the total fees due in the amount of \$1,410.00, any deficiencies in the enclosed fees, or credit any overpayment, to Deposit Account No. 01-2384. (A duplicate of this petition is enclosed.)

- (5) Enclosed is a copy of the RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION, including:
  - a. A signed declaration.

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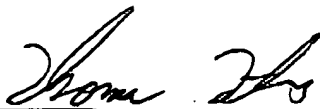
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- (6) Enclosed is a copy of the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION
- (7) Enclosed is a copy of the Associate Power of Attorney and Change of Correspondence Address, Change of Correspondence Address (PTO/SB/122) Form, Return Post Card and the stamped-received Post Card filed with the USPTO on December 18, 2001.

The undersigned respectfully requests that all previously granted powers of attorney are not revoked and all current powers of attorney remain in effect and that the correspondence address remain the same as filed December 18, 2001.

For the reasons set forth above, Applicants respectfully request that the holding of abandonment be withdrawn, or in the alternative, that the subject application be revived.

Respectfully Submitted,



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